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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,566	09/24/2004	Glenn Meekma	27475/06899	5565

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EXAMINER

BOSWELL, CHRISTOPHER J

ART UNIT PAPER NUMBER

3676

DATE MAILED: 11/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,566

Applicant(s)

MEEKMA ET AL.

Examiner

Christopher Boswell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/26/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 32-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 32 recites the limitation "a knob for actuating said knob;" the examiner is unclear as to what the knob is actually actuating. To further prosecution, the examiner takes the stand that the knob actuates the lock mechanism.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 10-13, 15-21, 23-25 and 27-34 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 6,470,718 to Yang.

Yang discloses a cable lock comprising a flexible cable (3), a lock body (2) including a passageway therethrough (22), and a combination lock mechanism (5) including a set of combination dials (51) and a lever arm (43), wherein the lever arm causes a locking member (27)

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to move into and out of engagement with the flexible cable when the flexible cable is inserted into the passageway, as in claim 1.

Yang also discloses the cable lock includes three positions an unlocked position, wherein the cable can be inserted into and removed from the passageway (column 3, lines 30-38), a cinch position, wherein the cable can only be inserted into the passageway (column 3, lines 20-30), and a locked position, wherein the cable can not be inserted or removed from the passageway (column 3, lines 39-44), as in claim 2, as well as the cable includes an end (31) fixably secured to the lock body, as in claim 3, and a rotatable knob (4 rotates the lever arm into and out of engagement with the cable), as in claim 4, wherein the knob includes a breakable portion (43) is capable of being breakable such that the knob will disconnect from the lever arm when sufficient force is applied to the knob (wherein when the lock mechanism is in a locked position, the shaft blocks the knob from actuating the cam, the connecting member could break under an amount of force), as in claim 5.

Yang further discloses a reset feature (column 3, lines 1-8) allowing new combinations to be set, as in claim 6, wherein the reset feature includes a reset button (the bottom of shaft 50, accessible via a tool; column 3, lines 1-8) located on a portion of the lock body, as in claim 7, and at least one of the set of combination dials includes a shoulder (shoulder contiguous to the lock body; figure 3) that prevents access between the at least one of the set of combination dials and the lock body, as in claim 8.

Yang additionally discloses a spring member (36) located within the passageway that allows the cable to be inserted into the passageway only in one direction (wherein the spring biases the clamping mechanism against the cable), as in claim 10, and the locking member

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includes a rotatable cam (29), and locking clamp (20), as in claim 11, wherein the locking clamp slides along a sloped surface (43) in order to engage and disengage the cable (cam 43 forces the rotatable cam to actuate the locking clamp into and out of an engaged position with the cable), as in claim 12, as well as a pivotable clamp (20) located at one end of the cable, as in claim 13.

Yang also discloses a cable lock comprising a flexible cable (3), a lock body (2) including a passageway (22) therethrough, a lock mechanism (5) comprising a set of combination dials (51) having an unlocking combination, a rotatable cam (29), a knob (4), and a shaft (25) selectively engageable with the cam, wherein the cam rotates to provide an unlocked position only when the set of combination dials are manipulated to the unlocking combination (column 3, lines 30-38), as in claim 15.

Yang further discloses the cam rotates to engage and disengage a locking clamp (20), wherein the locking clamp engages the cable in the passageway when the cam disengages the locking clamp (sloped surface 43 rotates the locking clamp into engagement with the cable), as in claim 16, wherein the cable lock includes three positions an unlocked position, wherein the cable can be inserted into and removed from the passageway (column 3, lines 30-38), a cinch position, wherein the cable can only be inserted into the passageway (column 3, lines 20-30), and a locked position, wherein the cable can not be inserted or removed from the passageway (column 3, lines 39-44), as in claim 17.

Yang additionally discloses the cable includes an end (31) fixably secured to the lock body, as in claim 18, as well as a reset feature (column 3, lines 1-8) allowing new combinations to be set, as in claim 19, wherein the reset feature includes a reset button (the bottom of shaft 50,

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accessible via a tool; column 3, lines 1-8) located on a portion of the lock body, as in claim 20, wherein at least one of the set of combination dials includes a shoulder (shoulder contiguous to the lock body; figure 3) that prevents access between the at least one of the set of combination dials and the lock body, as in claim 21.

Yang also discloses a spring member (36) located within the passageway that allows the cable to be inserted into the passageway only in one direction (wherein the spring biases the clamping mechanism against the cable), as in claim 23, and a pivotable clamp (27) located at one end of the cable, as in claim 24, wherein the pivotable clamp include a detent mechanism (20) that secures the pivotable clamp in a predefined orientation (the detent secures the pivotable clamp in the locked position, in relation to the cable), as in claim 25.

Yang further discloses a cable lock comprising a flexible cable (3), a lock body (2) including a passageway (22) therethrough, a lock mechanism (5) comprising a set of combination dials (51), a rotatable cam (29), a knob (4), and a connecting member (43) connecting the cam with the knob, wherein the connecting member is capable of being breakable such that the knob will disconnect from the cam when sufficient force is applied to the knob (wherein when the lock mechanism is in a locked position, the shaft blocks the knob from actuating the cam, the connecting member could break under an amount of force), as in claim 27.

Yang additionally discloses a cable lock comprising a flexible cable (3), a lock body (2) including a passageway (22) therethrough, a lock mechanism (5) comprising a set of combination dials (51) connected to a corresponding set of hubs (the hubs to which mount the

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dials to the lock shaft 50; figures 2 and 3), a rotatable cam (29), a knob (4) connected to the cam (via element 43), and a reset button (the bottom of shaft 50, accessible via a tool; column 3, lines 1-8) that disengages the set of combination dials from the corresponding set of hubs, thereby allowing a combination to be set, as in claim 28, as well as a pivotable clamp (27) located at one end of the cable, as in claim 29, wherein the pivotable clamp include a detent mechanism (20) that secures the pivotable clamp in a predefined orientation (the detent secures the pivotable clamp in the locked position, in relation to the cable), as in claim 30, wherein the cable lock includes three positions an unlocked position, wherein the cable can be inserted into and removed from the passageway (column 3, lines 30-38), a cinch position, wherein the cable can only be inserted into the passageway (column 3, lines 20-30), and a locked position, wherein the cable can not be inserted or removed from the passageway (column 3, lines 39-44), as in claim 31.

Yang also discloses a cable lock comprising a flexible cable (3), a lock body (2) including a passageway (22) therethrough, a lock mechanism (5) comprising a set of combination dials (51) connected to a corresponding set of hubs (the hubs to which mount the dials to the lock shaft 50; figures 2 and 3), and a knob (4) for actuating the lock mechanism, and a pivotable clamp (27) located at one end of the cable, as in claim 32, wherein the pivotable clamp include a detent mechanism (20) that secures the pivotable clamp in a predefined orientation (the detent secures the pivotable clamp in the locked position, in relation to the cable), as in claim 33.

Yang further discloses a cable lock comprising a flexible cable (3), a lock body (2) including a passageway (22) therethrough, and a combination lock mechanism (5) including a set of combination dials (51) and a means (4) for moving a locking member (20) into and out of engagement with the flexible cable when the flexible cable is inserted into the passageway (column 3, lines 9-15), as in claim 34.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang, as applied above, in view of U.S. Patent Number 6,629,440 to Meekma et al.

Yang discloses the invention substantially as claimed. However, Yang does not disclose indication features. Meekma et al. teaches of a cable lock assembly having a flexible cable (5), a lock body (4) having a passageway (8) therethrough, wherein the lock body has indication features (16; column 3, lines 35-37) in the same field of endeavor for the purpose of indicating which direction the cable is to be inserted into the passageway. It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate an indication feature, as taught by Meekma et al., onto the lock body of Yang in order to indicate which direction the cable is to be inserted into the passageway.

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Claims 14 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang, as applied above, in view of U.S. Patent Number ***.

[Claims 14 and 26] The cable lock of claim 1 further comprising a protective covering that selectively covers the set of combination dials.

Response to Arguments

Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to cable lock assemblies:

U.S. Patent Number 6,997,023 to Huang, U.S. Patent Number 6,755,054 to Burmesch et al., U.S. Patent Number 6,609,399 to Daniels, Jr., U.S. Patent Number 6,526,785 to Asenstorfer et al., U.S. Patent Number 4,236,394 to Harrington et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher Boswell
Examiner
Art Unit 3676

CJB *CB*
November 24, 2006



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